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ler, 59 N. Y. App. Div. 207. However, in other states a contrary rule applies, and the two offences must be of the same character. *Bast v. Bast*, 82 Ill. 584; *Benerfening v. Benerfening*, 23 Minn. 563. In England and in some of the states, desertion will bar a suit based on an act of adultery subsequently committed by the defendant. *Yeatman v. Yeatman*, L. R. 2 P. 187; *Walker v. Walker*, 172 Mass. 82; *Wilson v. Wilson*, 40 Ia. 230; *Conant v. Conant*, 10 Cal. 249.

EVIDENCE—HOMICIDE—UNCOMMUNICATED THREATS.—*STATE v. BARKSDALE*, 48 So. 264 (La.).—*Held*, that in a prosecution for manslaughter, uncommunicated threats made by the deceased against the accused shortly before the homicide are admissible in evidence as tending to show who was the aggressor in the fatal encounter, and as supporting the plea of self-defense. Nicholls, J., *dissenting*.

There is little doubt but that evidence of threats is admissible to show *animus*. *Greene v. State*, 69 Ala. 6; *Keener v. State*, 18 Ga. 194; *State v. Evans*, 33 W. Va. 417. Or to show who was the aggressor. *State v. Faile*, 43 S. C. 52; *Burns v. State*, 49 Ala. 370; *State v. Cushing*, 14 Wash. 527. But these decisions must be taken with certain limitations, some courts holding such evidence not admissible, unless some phase of the other evidence tends to show a case of self-defense. *Rutledge v. State*, 88 Ala. 85; *State v. Elliott*, 45 Ia. 486; *Bell v. State*, 69 Ark. 148. And a number of cases hold that threats made previous to the homicide are not admissible in evidence when uncommunicated to the defendant. *Rogers v. State*, 62 Ala. 170; *State v. Gregor*, 21 La. Ann. 473; *Vann v. State*, 83 Ga. 44; *State v. Maloy*, 44 Ia. 104.

HUSBAND AND WIFE—NOTES EXECUTED BEFORE MARRIAGE—VALIDITY.—*MACKEOWN v. LACEY*, 86 N. E. 799 (Mass.).—*Held*, that a note given by a man for money loaned to him by a woman prior to their marriage was not extinguished by their marriage, though husband and wife are incompetent to contract with each other.

At common law the debts of a woman are extinguished by her marriage with the debtor; *Smiley v. Smiley's Admr.*, 18 Ohio St. 543; and a note made and given by a husband to his wife before their marriage becomes a nullity on the marriage. *Abbot v. Winchester*, 105 Mass. 115. But under modern marriage reform acts, a debt previously due the wife by the husband remains her separate property, and she may enforce payment by execution after marriage. *Flenner v. Flenner*, 29 Ind. 564.

INNKEEPERS—INSULTS TO GUESTS—INNKEEPERS' LIABILITY.—*DE WOLF v. FORD*, 86 N. E. 527 (N. Y.).—*Held*, that a hotel keeper is liable to a female guest for a servant's unjustified acts, in the course of his employment, in forcing his way into her room, subjecting her to mortification of an exposure of her person, accusing her of immoral conduct, and ordering her to leave the hotel.

At common law if a guest be beaten in an inn, the innkeeper is not liable, 8 *Coke*, Sect. 33; and no other rule seems to have existed in this